

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSE VICENTE TAPIA FLORES and FERMIN
CANZALES, *individually and on behalf of
others similarly situated,*

Plaintiff,

-against-

L'OASIS DELI & GROCERY INC (D/B/A
L'OASIS OPEN GRILL), KHADIJA OUAFIQ,
and JOSE R. AGUILAR,

Defendants.

Case No. 1:21-cv-01233

**AFFIRMATION OF JARRET BODO
IN SUPPORT OF REQUEST FOR
CERTIFICATE OF DEFAULT**

I, JARRET BODO, an attorney duly admitted to practice law before this Court, hereby declares under the penalty of perjury:

1. I am counsel for Plaintiffs in this matter, and I am fully familiar with the facts herein. I submit this declaration in support of plaintiffs' request for entry of default.

2. This action was commenced on March 8, 2021, by the filing of the Complaint (D.E. 1), pursuant to the Fair Labor Standards Act of 1938, 29 U.S.C. § 201 *et seq.* ("FLSA"), and for violations of the N.Y. Labor Law §§ 190 *et seq.* and 650 *et seq.* (the "NYLL"), including applicable liquidated damages, interest, attorneys' fees and costs.

3. The time for defendants L'Oasis Deli & Grocery Inc (d/b/a L'Oasis Open Grill), Khadija Ouafiq, and Jose R. Aguilar to answer or otherwise move with respect to the complaint herein has expired.

4. Defendants L'Oasis Deli & Grocery Inc (d/b/a L'Oasis Open Grill), Khadija Ouafiq, and Jose R. Aguilar have not answered or otherwise moved with respect to the complaint,

and the time for defendants L'Oasis Deli & Grocery Inc (d/b/a L'Oasis Open Grill), Khadija Ouafiq, and Jose R. Aguilar to answer or otherwise move has not been extended.

5. Defendants Khadija Ouafiq and Jose R. Aguilar are not presently in the military service of the United States as appears from facts in this litigation.

6. WHEREFORE, Plaintiffs request that the default of Defendants L'Oasis Deli & Grocery Inc (d/b/a L'Oasis Open Grill), Khadija Ouafiq, and Jose R. Aguilar be noted and certificates of default issued.

7. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to plaintiff, and that no part thereof has been paid.

Executed on: November 6, 2023

/s/ Jarret Bodo
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